

REMARKS

Claims 1-39 were pending. Claims 1-39 stood rejected. Claims 1, 11, 21 were amended. Claims 8, 9, 18, 19, 28, 29, and 31-39 were cancelled. Claims 41-76 were added. In response to the official action applicant respectfully requests reconsideration and review of the following amendments remarks.

Please amend the claims as follows;

Currently claims 1-7, 10-17, 20-27, 30, 40-76 are present in the subject application. Claims 1, 11, 21 and 50 are direct to a method for ordering digital images and/or services by user over communication network and independent claim 40 is directed to a system from manipulating an order of goods and/or services over a communication network. The remaining claims dependent at least ultimately upon the foregoing independent claims.

The independent claims are directed to a method and system whereby user obtains or provides low resolution digital image file, a high resolution image file, and associated meta data. The user transmits the low resolution image data file and associated meta data to a server at a remote image photoservice provider over a communication network. The user manipulates and/or orders goods over the communication network with respect to the image. The service provider provide feedback to the user based on the meta data and/or the user using the software. The high resolution digital image file is transmitted after the user has finished his ordering and/or manipulation of the image.

Examiner in the official action rejected claims 1-9, 11-19, 21-29, 31-39, under 35 U.S.C. 102(b) as being clearly anticipated by Jibes et al. (U.S. Patent No. 63212311). Applicants respectfully submitted that the Jebens et al. reference does not teach or suggest the present invention as currently set forth in the independent claims. In particular the present invention is direct to a method and system whereby the low resolution and meta data are first transmitted to the remote service provider. Then the service provider provides feedback to the user based on the meta data and/or the user using software for manipulating of the image. This is not taught or suggested by the Jebens et al. reference. In Jebens et al. reference a high resolution image is first transmitted to a remote service provider. This is in contrast to the present invention where only the low resolution is first transmitted. Then the user in the present invention uses software which respect to said image and then the service provider provides

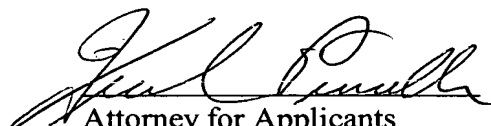
feedback based on the low resolution image and meta data and the user using the software. There is no teaching or suggestion or provide any type of feedback to the user with respect to the image. Only after this has been done is the high resolution transmitted to the remote service provider. Is respectfully submitted that the Jebens teaches away from the present invention as the high resolution is first transmitted to the remote storage site by the image provider. In Jebens the image provider 14 submits the high resolution image to the host system 10. See column 9 lines 13-20, see also column 10, lines 11-18. As can be seen, in the host generates a lower resolution image based on the high resolution received from image provider user. The initial image received in the Jebens et al. reference is not a low resolution image as taught in claim by applicant. Furthermore, there is no teacher suggestion or providing feedback to the user as taught and claimed by applicants. In the Jebens et al. reference the users are uses thumbnails images that are generated by the host site. There is no teaching or suggestion or providing the feedback as taught and claimed by applicants. The user 12 in Jebens uses the low resolution image to create a work order for requesting routing of the high resolution image from the host site to a supplier. In view of the foregone as respectfully submitted that the Jebens et al. reference is of little relevance to the present invention.

The remaining claims depend at least ultimately upon the independent claims previously discussed and therefore patentable for the same reason.

New claims 58-76 discusses various types of feedback to the user, which are not taught or suggested by the Jebens et al. reference.

Attached hereto is a marked up version of the changes made to the claims by the current amendment. The attached page(s) is captioned "**Version With Markings To Show Changes Made.**"

Respectfully submitted,


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Version With Markings To Show Changes Made

In the Claims:

Claims 8, 9, 18, 19, 28, 29, 31-39 have been cancelled.

Claims 1, 11, 21 have been amended.

The following new Claims 41-76 have been added.

1. (Once amended) A method for ordering digital image goods and/or services by a user over a communication network, comprising the steps of:

a. said user obtaining a low resolution digital image file, [and] a high resolution digital image file, and associated meta data of an image;

b. transmitting said low resolution digital image file and said associated meta data by said user to a server at a remote image photoservice provider over [a] said communication network, said server having software for manipulating and/or for ordering of goods and/or services by said user with respect to said image;

c. said user using said software with respect to said image;

d. said service provider providing feed back to said user based on said meta data and/or said user using said software; and

[d]e. said user transmitting the high resolution digital image file after using said software.

2. A method according to claim 1 wherein said communication network comprises the internet.

3. A method according to claim 1 wherein said using said software comprises viewing of said image on a display device using said low resolution digital image file.

4. A method according to claim 3 wherein said using said software further comprises manipulating of said image.

5. A method according to claim 3 wherein said using said software comprises placing an order for goods and/or services with respect to said image.

6. A method according to claim 1 wherein said remote image photoservice provider comprises a photofinisher.

7. A method according to claim 5 wherein said remote image photoservice provider fulfills said order.

10. A method according to claim 1 wherein said transmission of high resolution may be interrupted and resumed at the same place where the transmission was interrupted.

11. (Once amended) A method for ordering digital image goods and/or services by a user over a communication network with respect to an image provided in a low resolution digital file and a [low] high resolution digital image file, said image also having associated meta data, comprising the steps of:

a. said user transmitting said low resolution digital image file and said associated meta data by a user to a server at a remote image service provider over [a] said communication network, said server having software for manipulating and/or for ordering of goods and/or services by said user with respect to said image;

[c]b. said user using said software with respect to said image

c. said service provider providing feed back to said user based on said meta data and/or said user using said software; and

d. said user transmitting the high resolution digital image file after said user is finished using said software.

12. A method according to claim 11 wherein said communication network comprise the internet.

13. A method according to claim 12 wherein said using said software comprises viewing of said image using on a display device using said low resolution digital image file

14. A method according to claim 13 wherein said using said software further comprises manipulating of said image.

15. A method according to claim 13 wherein said using said software comprises placing of an order for goods and/or services with respect to said image.

16. A method according to claim 11 wherein said remote image service provider comprises a photofinisher.

17. A method according to claim 15 wherein said remote image service provider fulfills said order

20. A method according to claim 11 wherein said transmission of high resolution may be interrupted and resumed at the same place where the transmission was interrupted

21. (Once amended) A method for ordering digital image goods and/or services by a user over a communication network with respect to an image provided as a low resolution digital file and a [low] high resolution digital image file, said image also having associated meta data, comprising the steps of:

a. said user transmitting said low resolution digital image file and said meta data to a server at a remote image service provider over a communication network;

[c]b. said user manipulating said image and/or ordering of goods and/or services with respect to said image;

c. said service provider providing feed back to said user based on said meta data and/or said user using said software; and

d. after completing step c said user transmitting said high resolution digital image file to said server.

22. A method according to claim 21 wherein said communication network comprises the internet.

23. A method according to claim 21 wherein said using said software comprises viewing of said image on a display device using said low resolution digital image file.

24. A method according to claim 23 wherein said using said software further comprises manipulating of said image.

25. A method according to claim 23 wherein said using said software comprises placing an order for goods and/or services with respect to said image.

26. A method according to claim 21 wherein said remote image photoservice provider comprises a photofinisher.

27. A method according to claim 25 wherein said remote image photoservice provider fulfills said order.

30. A method according to claim 21 wherein said transmission of high resolution may be interrupted and resumed at the same place where the transmission was interrupted.

40 A system for manipulating and order of goods and/or services with respect to images provided in a digital format over a communication network, comprising:

an image provider having server capable of being connected to a remote user computer over a communication network, said server allowing the receiving of a high resolution digital image file, a low resolution digital image file, and associated meta data of an image from said remote user computer, said server having software for manipulating and/or for ordering of goods and/or services by said user on said remote user computer with respect to said image, said user using said software with respect to said image, said service provider providing feed back to said user based on said meta data and/or said user using said software prior to receiving said high resolution digital image file.

Please add the following new claims 41-76:

41. (New) A system according to claim 40 wherein said high resolution digital image file, low resolution digital image file and associated meta data is received from a digital device.

42. (New) A system according to claim 41 wherein said digital device comprises a scanner for capturing a high resolution digital image file of said image.

43. (New) A system according to claim 41 wherein said digital device comprises a digital memory device having a high resolution digital image file of said image.

44. (New) A system according to claim 41 wherein said digital device comprises a camera memory device having a high resolution digital image file of said image.

45. (New) A system according to claim 41 wherein said digital device comprises a CD having a high resolution digital image file of said image.

46. (New) A system according to claim 41 wherein said digital device comprises a computer memory storage disc having a high resolution digital image file of said image.

47. (New) A system according to claim 41 wherein said low resolution digital image file comprises an digital image having a resolution no greater than about 200 pixels by 150 pixels.

48. (New) A system according to claim 41 wherein said high resolution digital image file comprises an digital image file having a resolution no less than about 780 pixels by 560 pixels.

49. (New) A system according to claim 41 wherein said low resolution digital image file is no greater than about 50% of the high resolution digital image file.

50. (New) A method for ordering digital image goods and/or services by a user over a communication network with respect to an image

provided as a low resolution digital file and a high resolution digital image file, said image captured by a user and having associated meta data, comprising the steps of:

- a. said remote image service provider receiving said low resolution digital image file and said meta data of said image from said user said communication network;
- b. said server allowing said user to manipulating said image and/or ordering of goods and/or services with respect to said image over a communication network;
- c. said service provider providing feed back to said user based on said meta data and/or said user using said software; and
- d. said service provider obtaining said high resolution digital image file after completing step c.

51. (New) A method according to claim 50 wherein said communication network comprises the internet.

52. (New) A method according to claim 50 wherein said using said software comprises viewing of said image on a display device using said low resolution digital image file.

53. (New) A method according to claim 52 wherein said using said software further comprises manipulating of said image.

54. (New) A method according to claim 52 wherein said using said software comprises placing an order for goods and/or services with respect to said image.

55. (New) A method according to claim 50 wherein said remote image photoservice provider comprises a photofinisher.

56. (New) A method according to claim 55 wherein said remote image photoservice provider fulfills said order.

57. (New) A method according to claim 1 wherein said meta data comprises information about the image files.

58. (New) A method according to claim 1 wherein said feed back comprises information regarding customizing processing that can be preformed.

59. (New) A method according to claim 1 wherein said feed back comprises a warning the image data available is insufficient to produce an expected quality level for a requested product or service.

60. (New) A method according to claim 50 wherein said meta data comprises information about the image files.

61. (New) A method according to claim 50 wherein said feed back comprises information regarding customizing processing that can be preformed.

62. (New) A method according to claim 50 wherein said feed back comprises a warning the image data available is insufficient to produce an expected quality level for a requested product or service.

63. (New) A method according to claim 50 wherein said feed back comprises a statement that the image can benefit from image enhancement.

64. (New) A method according to claim 50 wherein said feed back comprises said images are not suitable for a requested operation.

65. (New) A method according to claim 1 wherein said feed back comprises a statement that the image can benefit from image enhancement.

66. (New) A method according to claim 1 wherein said feed back comprises said images are not suitable for a requested operation.

67. (New) A method according to claim 1 wherein said meta data comprises information about the image files.

68. (New) A method according to claim 11 wherein said feed back comprises information regarding customizing processing that can be preformed.

69. (New) A method according to claim 11 wherein said feed back comprises a warning the image data available is insufficient to produce an expected quality level for a requested product or service.

70. (New) A method according to claim 11 wherein said feed back comprises a statement that the image can benefit from image enhancement.

71. (New) A method according to claim 11 wherein said feed back comprises said images are not suitable for a requested operation.

72. (New) A method according to claim 21 wherein said meta data comprises information about the image files.

73. (New) A method according to claim 21 wherein said feed back comprises information regarding customizing processing that can be preformed.

74. (New) A method according to claim 21 wherein said feed back comprises a warning the image data available is insufficient to produce an expected quality level for a requested product or service.

75. (New) A method according to claim 21 wherein said feed back comprises a statement that the image can benefit from image enhancement.

76. (New) A method according to claim 21 wherein said feed back comprises said images are not suitable for a requested operation.

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